

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION**

UNITED STATES OF AMERICA)	
)	
v.)	CAUSE NO. 1:06-CR-60TS
)	
JOSE RAMIREZ)	

OPINION AND ORDER

Defendant Jose Ramirez moved to suppress evidence recovered by the police during the search of property located at 1702 Gable Road, Fort Wayne, Indiana. The Defendant alleges that the police searched the property pursuant to a deficient warrant but also states that the property was searched without a warrant at all. The Defendant request an evidentiary hearing on his motion.

Whichever of the two scenarios presented by the Defendant may be the case, he has not identified any disputed facts that would require an evidentiary hearing. Furthermore, he has not submitted the search warrant or the search warrant affidavit from which the Court could determine the validity of the warrant. Finally, the Defendant gave the Court no indication why he believes the search of property in question was unlawful. As such, the Court finds no basis to hold an evidentiary hearing or to grant the Defendant's motion. *See United States v. Juarez*, 454 F.3d 717, 719–20 (7th Cir. 2006) (a defendant must provide the court with information sufficient to “enable the court to conclude that a substantial claim is presented and that there are disputed issues of material fact which will affect the outcome of the motion”).

Therefore, the Court denies Defendant Jose Ramirez's Motion to Suppress Evidence [DE 75] without prejudice. The Defendant may renew the motion by January 19, 2007, if he can identify any issues for the Court to review.

SO ORDERED on January 12, 2007.

S/ Theresa L. Springmann
THERESA L. SPRINGMANN
UNITED STATES DISTRICT COURT